

AO 91 (Rev. 11-11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Western District of Arkansas
Fort Smith Division

United States of America)

v.)

Case No. 2:20-mj-2008-001

Lexis Nichole Flores)

Defendant

CRIMINAL COMPLAINT

I, the Complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of July 9, 2020, in the county of Sebastian, in the Western District of Arkansas, the Defendant, Lexis Nichole Flores, violated:

Code Section

49 U.S.C. § 46504

Offense Description

Interference with Flight Crew and Attendants

This Criminal Complaint is based on these facts:

■ Continued on the attached sheet.


Complainant's Signature

Ryan W. Crump, Special Agent FBI
Printed name and title

Sworn to before me and signed in my presence.

Date: 7/13/20


Judge's signature

City and State: Fort Smith, Arkansas

Mark E. Ford, United States Magistrate Judge
Printed name and title

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

AFFIDAVIT

1. I, Ryan W. Crump, a Special Agent with the Federal Bureau of Investigation, being first duly sworn, do hereby depose and state as follows:

INTRODUCTION

2. I, Ryan W. Crump hereafter referred to as Affiant, am a Special Agent (SA) of the Federal Bureau of Investigation (FBI). Affiant has been employed by the FBI since August 2016. During my career as a Special Agent, I have been involved in a variety of investigative matters, including international and domestic terrorism matters. During the course of these investigations, I have assisted with Title III wire intercept Affidavits, participated in the execution of search and arrest warrants, conducted physical surveillance, participated in controlled meetings with confidential sources, and communicated with other local and federal law enforcement officers regarding the manner in which those engaged in domestic terror activities conduct their business.

3. Affiant is “an investigative or law enforcement officer of the United States” within the meaning of Section 2510(7) of Title 18, United States Code. Therefore, as an officer of the United States I am empowered by law to conduct investigations of, and to make arrests for, the offenses enumerated in Section 2516 of Title 18, United States Code.

4. This Affidavit is being submitted in support of a criminal complaint for Lexis Nichole Flores. The facts in this Affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This Affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter. Unless specifically indicated otherwise, all conversations and statements describe in this Affidavit are related in substance and in part only.

SUMMARY

5. On July 9, 2020 at approximately 4:27 p.m., Fort Smith, Arkansas Police (FSPD) were dispatched to the Fort Smith Regional Airport. FSPD Officer Breedlove arrived at the airport and was approached by Richard Rushing, Director of Operation at the Fort Smith Regional Airport.

6. Director Rushing told Officer Breedlove that a female passenger communicated that she had a bomb. The aircraft's pilot radioed the airport tower and reported the situation. The front area of the Fort Smith Regional Airport was cleared of all personnel.

7. FSPD Officers and airport personnel evacuated the aircraft and searched for the suspect. FSPD Officers Breedlove, Adams, and Jones detained a female, who was later identified as Lexis Nichole Flores. FSPD Officers escorted Flores to the pat down room of the airport.

8. FSPD Detective Elliott advised Flores of her Miranda Rights, the rights warning was witnessed by FSPD Officer Marion. Federal Bureau of Investigation (FBI) Special Agent (SA) Ryan Crump joined Detective Marion in the pat down room. Flores told Detective Elliott and SA Crump that she said she had a bomb so they would let her get off the airplane, but she did not actually possess a bomb.

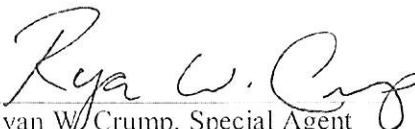
9. A flight attendant, identified as P.D., told Detective Marion that Flores, who was seated in 13A, asked her if it was too late to get off of the plane. P.D. told Flores that it was too late, as the doors were closed. Flores threw up her hands and said, "I have a bomb." P.D. explained to Flores that having a bomb would result in her getting arrested, and then asked Flores if she really had a bomb. Flores said that she did not have a bomb. Flores insisted that P.D. ask the pilot to let her off of the flight. P.D. said that she could not open the doors. Flores threw her hands up and said she refused to wear a facemask [this incident occurred during the time of the coronavirus pandemic]. P.D. walked to the front of the aircraft and notified the Pilot of the incident. The

Pilot decided to remove Flores from the aircraft. While waiting for law enforcement, Flores came to the front of the aircraft yelling and demanding to get off of the plane. P.D. asked Flores to have a seat and calm down. Flores said "no" and stepped closer to P.D. P.D. asked Flores to calm down while P.D. contacted the Pilot. Flores calmed down, thanked P.D., and sat down in seat 2A. The flight crew then evacuated the aircraft and Flores remained on the aircraft, at P.D.'s instruction, until FSPD arrived and detained her.


10. FSPD Officers interviewed passengers on the aircraft who were seated near Flores. These passengers are identified as P.A., T.P., M.H., T.S., and J.M. P.A., T.P., M.H., T.S., and J.M. all confirmed that Flores communicated she had a bomb to P.D. and walked to the front of the aircraft to confront P.D.

11. Based on his experience training and the facts detailed in this Affidavit, Affiant believes Flores knowingly and intentionally, by intimidation, interfered with the duties of P.D., an aircraft attendant, in a manner that lessened the ability of P.D. to perform her duties.

12. In light of the above information, Affiant believes there is probable cause to charge Lexis Nichole Flores with Interference with Flight Crew Members and Attendants in violation of Title 49, United States Code, Section 46504.


Ryan W. Crump, Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me this 13th day of July 2020.


Honorable Mark E. Ford
United States Magistrate Judge